RECLAMATION
Managing Water in the West

FINDING OF NO SIGNIFICANT IMPACT

Article 5 Exchanges between Cross Valley Contractors and other Water Districts for Delivery of Central Valley Project Water – 2010 and 2011

FONSI-10-36

Recommended by:

Michael Inthavong
Natural Resources Specialist
South-Central California Area Office

Date: 7/9/2010

Concurred by:

Chuck Siek
Supervisory Natural Resources Specialist
South-Central California Area Office

Date: 7/9/10

Concurred by:

FOR Chief, Resources Management Division
South-Central California Area Office

Date: 7/9/10

Approved by:

Laura Myers
Deputy Area Manager
South-Central California Area Office

Date: 7/9/2010

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Introduction

In accordance with section 102(2)(c) of the National Environmental Policy Act of 1969, as amended, the South-Central California Area Office of the Bureau of Reclamation (Reclamation), has determined that the approval for exchanges between Cross Valley (CV) Central Valley Project (CVP) contractors and other water districts is not a major federal action that will significantly affect the quality of the human environment and an Environmental Impact Statement is not required. This Finding of No Significant Impact (FONSI) is supported by Reclamation's Final Environmental Assessment (EA) number EA-10-36, *Article 5 Exchanges between Cross Valley Contractors and other Water Districts for Delivery of Central Valley Project Water – 2010 and 2011*, which is hereby incorporated by reference.

Background

In 1976, the CV contractors entered into water service contracts with Reclamation for CVP water. Although the CV contractors are situated on the eastside of the San Joaquin Valley amongst the Friant Division CVP contractors, the CV contractors' CVP water is pumped from the Sacramento-San Joaquin River Delta (Delta) by the Department of Water Resources (DWR) and/or Reclamation where the water is conveyed in the San Luis Canal (SLC)/California Aqueduct for delivery into the Cross Valley Canal (CVC). Due to direct conveyance hurdles, Reclamation envisioned that the CV contractors would then obtain their CVP supplies via exchanges.

Historically, the CV contractors' CVP water was delivered to the CVC and exchanged with Arvin-Edison Water Storage District (AEWSD). In return, AEWSD's Friant Division CVP water supply was diverted by the CV contractors from the Friant-Kern Canal. Due to changing conditions, AEWSD has discontinued exchange relationships with some of the CV contractors.

The CV contractors need exchange mechanisms in place in order to receive delivery of up to 128,300 acre-feet per year (AF/y) of their contractual CVP water supply from the Delta during the 2010 and 2011 contract year, ending February 29, 2012. The exchange mechanisms with individually proposed exchange partners will include the broadest flexibility for exchange arrangements known at this time. Historical exchanges between the CV contractors and AEWSD could also continue with or without the Proposed Action. The CV contractors and potential exchange partners (other CVP contractors and non-CVP contractors) are all located within Fresno, Tulare, Kings, and Kern Counties.

Due to varying hydrological conditions, losses due to evaporation and/or seepage, differences in the value of water, and/or timing, imbalanced exchanges could occur (which will be limited to a ratio of up to 2:1). A 2:1 imbalanced exchange could occur when the first component of the exchange, the CV contractor's annual allocation (up to 128,300 AF/y), will be delivered to an exchange partner. In return, no less than 50 percent of the amount of water that was delivered during the first component of the exchange will be delivered to the CV contractors.

Findings

Water Resources

The operation and maintenance of the CVP and State Water Project (SWP) were addressed in the Central Valley Project Improvement Act Programmatic Environmental Impact Statement (CVPIA PEIS) and corresponding Biological Opinion (BO) for the continued long-term operation of the CVP and SWP, which included the entire 128,300 AF/y of the CV contractors' water supplies. This water was assumed to be pumped and conveyed each year for deliveries via exchanges to the CV contractors. The Proposed Action will not result in significant impacts to diversion from the Delta or pumping and conveying this water beyond those already addressed in the CVPIA PEIS and BO for the continued long-term operation of the CVP and SWP.

At the time of approval, the water involved (up to 128,300 AF/y) in the exchanges are supplies already allocated and no additional water supplies would be diverted from rivers, lakes, or other waterways. Delivery of the CV contractors' water supplies will utilize existing facilities and occur within the capacities and operations of the facilities involved. No new construction or modifications to facilities will be required. Utilization of SWP and CVP facilities, the CVC, and other facilities will be scheduled and coordinated with the overseeing agency to ensure that the normal operations of those facilities will not be adversely impacted.

The untimely delivery of the CV contractors' water could result in the exchange partners receiving the water when its value is low. This same amount of water could be of much higher value at such time the water is exchanged back to the CV contractors due to timing and demands. Therefore, the CV contractors are seeking to enter into exchange arrangements that will benefit the potential exchange partners in order to obtain water at a reasonable price for the CV contractors' landowners. In lieu of paying a higher price for the water when it is exchanged to the CV contractors, the exchange arrangements commonly allow for an imbalanced exchange of the CV contractors' water supplies to compensate for the value of the water when it is delivered. The exchange arrangements are developed between willing buyers and sellers with mutually agreeable terms. Under the Proposed Action, the CV contractors could receive less water than their full contract supply and allocation. However, receiving a reduced amount of water versus supplies outside of the growing season will provide better use and management of this water. This reduction will not result in significant impacts to the CV contractors since their water supplies are intermittent and unreliable.

The CV contractors strive to provide surface water at affordable prices to discourage groundwater pumping. The Proposed Action will reduce groundwater pumping, thus providing short-term relief to groundwater quality and quantity within Kern County. The Proposed Action will provide an increase of water to areas suitable for groundwater recharge providing an improvement of managing available water supplies and overall benefit to the region-wide overdraft conditions until the water is extracted in dry years.

The Proposed Action will not result in significant impacts to third parties, water quality, quantity, groundwater resources, flows or temperature. In addition, the exchange arrangements will not interfere with deliveries to other water purveyors or meeting minimum flow

requirements for both the SWP and CVP. Therefore, the Proposed Action will not result in significant impacts to overall water resources.

Land Use

Land use within the CV contractors' service areas will not change under the Proposed Action. The CV contractors will receive and use their water during the irrigation season to maintain cropland production. Although it is possible the exchange partners could potentially receive an increase of water as a result of imbalanced exchanges, this will occur only in years when DWR has a window of opportunity to pump this water or when Article 55 conveyance arrangements are utilized. Due to the unreliability and unavailability of this water, the Proposed Action will not lead to long-term land use changes. The water supplies are variable and do not provide a reliable or consistent amount for landowners to make long-term land use changes. No native grasslands or shrub land will be tilled or cultivated. Water will be delivered to established croplands and used for irrigation purposes on lands irrigated within the last three years or for existing municipal and industrial uses. The exchanges will occur within existing facilities and will not require any new construction or modifications to existing facilities. Therefore, the Proposed Action will have no significant impacts to land use.

Biological Resources

Most of the habitat types required by species protected by the Endangered Species Act do not occur in the Proposed Action area. The Proposed Action will not involve the conversion of any land fallowed and untilled for three or more years. While the Proposed Action will reduce the fallowed acreage, it will not substantially change the land use patterns of the cultivated or fallowed fields that may have some value to listed species or to birds protected by the Migratory Bird Treaty Act. Since no natural stream courses would be utilized as part of the Proposed Action, there will be no effects on listed fish species. No critical habitat occurs within the area affected by the Proposed Action, so critical habitat will not be affected

The relatively small amounts of water associated with the Proposed Action (when compared to the amount of water supply deficit) and the requirement that no native lands be converted without consultation with U.S. Fish and Wildlife Service will preclude impacts to wildlife, including federally listed species. Therefore, the Proposed Action will not significantly impact biological resources.

Cultural Resources

The Proposed Action will allow for the delivery of water through existing conveyance facilities to the CV contractors who have previously received water. The Proposed Action has no potential to cause effect to historic properties pursuant to the regulations at 36 CFR Part 800.3(a)(1) and as a result, will not have significant impacts to cultural resources.

Indian Trust Assets (ITA)

The Proposed Action involves water that is already allocated and would not include modifications or new construction of facilities. Therefore, the Proposed Action would have no impacts to ITA.

Socioeconomic Resources

The Proposed Action will allow for improved water deliveries to the CV contractors when it is needed during the growing season and maintain the stability of the agricultural market and economical vitality for the San Joaquin Valley to a certain degree. The Proposed Action will result in improved water management and could reduce purchases of more expensive water supplies by the CV contractors. The Proposed Action could maintain costs for water through the imbalanced exchange scenario since the amount of water is small and will not contribute to changes in water prices. There will be no significant impacts to socioeconomic resources.

Environmental Justice

The Proposed Action will result in the preservation of jobs for minority or disadvantaged populations within the CV contractors' service areas. The same amount of water will be made available for croplands within the SJV as has historically occurred. Managing existing water supplies will continue as in the past including decisions to purchase other supplies, pumping groundwater, planting or growing less water intensive types of crops or fallowing lands. No farm lands will be permanently taken out of agricultural production. Any actions that maintain seasonal jobs within the CV contractors' service areas should be considered beneficial to minority and disadvantaged populations.

Air Quality

Under the Proposed Action, movement of water between CV contractors and potential exchange partners will be done via gravity flow and/or pumped using electric motors, which have no emissions. The air quality emissions from electrical power have been considered in environmental documentation for the generating power plant. There are no emissions from electrical motors and therefore a conformity analysis is not required; therefore, no significant impacts to air quality will result from implementing the Proposed Action.

Global Climate

It is likely that the CV contractors will seek the least costly exchanges by conveying water to shorter distances, resulting in less power usage. The amount of power needed to convey 128,300 AF/y of water is small when compared to the overall water supplies and power used each year to move water where it is needed. Greenhouse gases (GHG) generated by the Proposed Action are expected to be extremely small compared to other sources contributing to potential climate change since the exchanges of water will be conveyed mostly via gravity and little, if any, additional pumping from electric motors will be required. While any increase in GHG emissions will add to the global inventory of gases that will contribute to global climate change, the Proposed Action will result in minimal increases in GHG emissions and a net increase in GHG emissions among the pool of GHG will not be detectable. The Proposed Action will have no significant impacts to global climate change.

Cumulative Impacts

The Proposed Action was found to have no impacts to biological and cultural resources, ITA, and socioeconomics. The Proposed Action, when added to other known and reasonably foreseeable actions does not contribute to cumulative adverse impacts to existing environmental conditions. Slight beneficial impacts to environmental justice will be within the historical variations and will not contribute to cumulative impacts. The Proposed Action will not result in

significant impacts to these resources when taking into consideration other similar and future actions.

The Proposed Action will utilize gravity and/or electric motors to water, which have no emissions. Therefore, when taking into consideration other similar actions, no significant cumulative impacts to air quality are expected. GHG impacts are considered to be cumulative impacts. The Proposed Action, when added to other known and reasonably foreseeable actions, will not contribute to significant cumulative impacts to global climate change owing to the threshold magnitude of GHG emissions requirement for reporting.

The Proposed Action will not contribute to, or inhibit, the renewal of CVP long-term contract renewals for other CVP contractors. The CVPIA envisioned improved water management options and expanded the opportunities for transfers to occur to encourage efficient water management and conservation. Transfers of CVP water require approval by Reclamation's Contracting Officer and appropriate environmental review.

The reservoirs, rivers and creeks in the lower San Joaquin Valley (SJV) associated with the Proposed Action are managed for flood control and agricultural supplies. Diversions of water occur based on the hydrological and environmental conditions. During wet seasons and high water flows, surplus water supplies are released and, if possible, marketed to quickly disperse this water to avoid flooding and damage downstream in the rivers. The Proposed Action will not contribute to or interfere with flood control management and operations. In addition, imbalanced exchanges will not increase or decrease the availability of flood water nor inhibit or contribute to decisions to accept or reject this source of water. The Proposed Action will not interfere with deliveries, operations or cause significant adverse changes to the rivers, creeks or conveyance facilities associated with the SWP or CVP. The conveyance facilities and river systems in the lower SJV are interconnected and allow for a myriad of transfers, exchanges, contract assignments, banking projects, and conveyances of water via Warren Act contracts, Operational Contracts or Article 55 of the SWP. The conveyance of water under these water service options are subject to available capacity, meeting primary requirements, and environmental reviews. Therefore, the Proposed Action will not result in significant cumulative impacts to overall water resources.

Various economical forces are driving factors for land use changes from agricultural to urban uses. These changes are long-term and require approvals from the Local Area Formation Committee, changes in City or County General Plans and undergo appropriate environmental reviews. Changes in the CVP contractors' boundaries and service areas undergo environmental review and approval by Reclamation. Reclamation does not have land use change approval authority; however, Reclamation must determine whether boundary change requests would result in inconsistency with the Reclamation Reform Act, water rights permits or other laws and regulations. Therefore, the Proposed Action will not result in significant cumulative impacts to land use.